

this title, any vessel belonging in whole or in part to any citizen or inhabitant of such State or part of a State whose inhabitants are so declared in a state of insurrection, found at sea, or in any port of the rest of the United States, shall be forfeited.

(R.S. § 5319.)

#### CODIFICATION

R.S. § 5319 derived from act July 12, 1861, ch. 3, § 7, 12 Stat. 257.

### **§ 224. Refusing clearance to vessels with suspected cargoes; forfeiture for departing without clearance**

The Secretary of the Treasury is authorized to refuse a clearance to any vessel or other vehicle laden with merchandise, destined for a foreign or domestic port, whenever he shall have satisfactory reason to believe that such merchandise, or any part thereof, whatever may be its ostensible destination, is intended for ports in possession or under control of insurgents against the United States; and if any vessel for which a clearance or permit has been refused by the Secretary of the Treasury, or by his order, shall depart or attempt to depart for a foreign or domestic port without being duly cleared or permitted, such vessel, with her tackle, apparel, furniture, and cargo, shall be forfeited.

(R.S. § 5320.)

#### CODIFICATION

R.S. § 5320 derived from act May 20, 1862, ch. 81, § 1, 12 Stat. 404.

### **§ 225. Bond to deliver cargo at destination named in clearance**

Whenever a permit or clearance is granted for either a foreign or domestic port, it shall be lawful for the collector of the customs granting the same, if he deems it necessary, under the circumstances of the case, to require a bond to be executed by the master or the owner of the vessel, in a penalty equal to the value of the cargo, and with sureties to the satisfaction of such collector, that the cargo shall be delivered at the destination for which it is cleared or permitted, and that no part thereof shall be used in affording aid or comfort to any person or parties in insurrection against the authority of the United States.

(R.S. § 5321.)

#### CODIFICATION

R.S. § 5321 derived from act May 20, 1862, ch. 81, § 2, 12 Stat. 404.

#### TRANSFER OF FUNCTIONS

All offices of collector of customs, comptroller of customs, surveyor of customs, and appraiser of merchandise of Bureau of Customs of Department of the Treasury to which appointments were required to be made by President with advice and consent of Senate ordered abolished, with such offices to be terminated not later than December 31, 1966, by Reorg. Plan No. 1, of 1965, eff. May 25, 1965, 30 F.R. 7035, 79 Stat. 1317, set out in the Appendix to Title 5, Government Organization and Employees. All functions of offices eliminated were already vested in Secretary of the Treasury by Reorg. Plan No. 26 of 1950, eff. July 31, 1950, 15 F.R. 4935, 64 Stat. 1280, set out in the Appendix to Title 5.

### **§ 226. Protection of liens on condemned vessels**

In all cases wherein any vessel, or other property, is condemned in any proceeding by virtue of any laws relating to insurrection or rebellion, the court rendering judgment of condemnation shall, notwithstanding such condemnation, and before awarding such vessel, or other property, or the proceeds thereof, to the United States, or to any informer, first provide for the payment, out of the proceeds of such vessel, or other property, of any bona fide claims which shall be filed by any loyal citizen of the United States, or of any foreign state or power at peace and amity with the United States, intervening in such proceeding, and which shall be duly established by evidence, as a valid claim against such vessel, or other property, under the laws of the United States or of any State thereof not declared to be in insurrection. No such claim shall be allowed in any case where the claimant has knowingly participated in the illegal use of such ship, vessel, or other property. This section shall extend to such claims only as might have been enforced specifically against such vessel, or other property, in any State not declared to be in insurrection, wherein such claim arose.

(R.S. § 5322.)

#### CODIFICATION

R.S. § 5322 derived from act Mar. 3, 1863, ch. 90, 12 Stat. 762.

## **CHAPTER 14—WARTIME VOTING BY LAND AND NAVAL FORCES**

### **§§ 301 to 303. Repealed. Aug. 9, 1955, ch. 656, title III, § 307, 69 Stat. 589**

Section 301, acts Sept. 16, 1942, ch. 561, title I, § 1, 56 Stat. 753; July 1, 1943, ch. 187, §§ 1, 5, 57 Stat. 371, granted absentee members of land or naval forces of the United States the right to vote in Presidential, Vice Presidential, and Congressional elections. See section 1973ff et seq. of Title 42, The Public Health and Welfare.

Section 302, act Sept. 16, 1942, ch. 561, title I, § 2, 56 Stat. 753, exempted persons in military service in time of war from paying poll taxes or other taxes as a condition of voting in any election for President, Vice President, electors for President or Vice President, or for Senator or Member of the House of Representatives.

Section 303, acts Sept. 16, 1942, ch. 561, title I, § 3, 56 Stat. 753; Apr. 1, 1944, ch. 150, 58 Stat. 136, provided for voting in accordance with State law.

#### ADDITIONAL REPEAL

Sections 301 to 303 were also repealed by act Aug. 10, 1956, ch. 1041, § 53, 70 Stat. 641.

### **§§ 304 to 315. Repealed. Apr. 1, 1944, ch. 150, 58 Stat. 136**

Section 304, act Sept. 16, 1942, ch. 561, § 4, 56 Stat. 754, related to a public list of applicants.

Section 305, act Sept. 16, 1942, ch. 561, § 5, 56 Stat. 754, related to form of ballots and booklets.

Section 306, act Sept. 16, 1942, ch. 561, § 6, 56 Stat. 755, related to use of official envelopes.

Section 307, act Sept. 16, 1942, ch. 561, § 7, 56 Stat. 756, related to transmission of ballots.

Section 308, act Sept. 16, 1942, ch. 561, § 8, 56 Stat. 756, related to return of ballots.

Section 309, act Sept. 16, 1942, ch. 561, § 9, 56 Stat. 756, related to certification of votes.

Section 310, act Sept. 16, 1942, ch. 561, § 10, 56 Stat. 756, related to payment of expenses.

Section 311, act Sept. 16, 1942, ch. 561, § 11, 56 Stat. 757, related to utilization of services of local agencies.

Section 312, act Sept. 16, 1942, ch. 561, § 12, 56 Stat. 757, related to voting under State law.

Section 313, act Sept. 16, 1942, ch. 561, § 13, 56 Stat. 757, related to primary elections.

Section 314, act Sept. 16, 1942, ch. 561, § 14, 56 Stat. 757, related to offenses against elective franchise.

Section 315, act Sept. 16, 1942, ch. 561, § 15, 56 Stat. 757, related to formality of compliance.

**§§ 321 to 331. Repealed. Aug. 9, 1955, ch. 656, title III, § 307, 69 Stat. 589**

Section 321, act Sept. 16, 1942, ch. 561, title II, § 201, as added Apr. 1, 1944, ch. 150, 58 Stat. 136; amended Apr. 19, 1946, ch. 142, 60 Stat. 96, related to State absentee voting legislation.

Section 322, act Sept. 16, 1942, ch. 561, title II, § 202, as added Apr. 1, 1944, ch. 150, 58 Stat. 137; amended Apr. 19, 1946, ch. 142, 60 Stat. 96, related to use of post cards.

Section 323, act Sept. 16, 1942, ch. 561, title II, § 203, as added Apr. 1, 1944, ch. 150, 58 Stat. 137; amended Apr. 19, 1946, ch. 142, 60 Stat. 97, related to distribution of ballots.

Section 324, act Sept. 16, 1942, ch. 561, title II, § 204, as added Apr. 1, 1944, ch. 150, 58 Stat. 138; amended Apr. 19, 1946, ch. 142, 60 Stat. 97; Sept. 29, 1950, ch. 1112, § 1, 64 Stat. 1082, provided for style and markings of envelopes, protective inserts, return envelopes, and size and weight of ballots and envelopes.

Section 325, act Sept. 16, 1942, ch. 561, title II, § 205, as added Apr. 1, 1944, ch. 150, 58 Stat. 138; amended Apr. 19, 1946, ch. 142, 60 Stat. 97, related to signature and oath of voter.

Section 326, act Sept. 16, 1942, ch. 561, title II, § 206, as added Apr. 1, 1944, ch. 150, 58 Stat. 139; amended Apr. 19, 1946, ch. 142, 60 Stat. 98, related to instructions for marking ballots.

Section 327, act Sept. 16, 1942, ch. 561, title II, § 207, as added Apr. 1, 1944, ch. 150, 58 Stat. 139; amended Apr. 19, 1946, ch. 142, 60 Stat. 99, related to extension of State's time limits.

Section 328, act Sept. 16, 1942, ch. 561, title II, § 208, as added Apr. 19, 1946, ch. 142, 60 Stat. 99, provided for notification of forthcoming elections by secretaries of states.

Section 329, act Sept. 16, 1942, ch. 561, title II, § 209, as added Apr. 19, 1946, ch. 142, 60 Stat. 99; amended Sept. 29, 1950, ch. 1111, 64 Stat. 1082, provided for cooperation with States, printing and transmitting of post cards, and content of post cards.

Section 330, act Sept. 16, 1942, ch. 561, title II, § 210, as added Apr. 19, 1946, ch. 142, 60 Stat. 101; amended July 26, 1947, ch. 343, title II, § 205(a), 61 Stat. 501, related to transmission of post cards.

Section 331, act Sept. 16, 1942, ch. 561, title II, § 211, as added Apr. 19, 1946, ch. 142, 60 Stat. 101; amended July 26, 1947, ch. 343, title II, § 205(a), 61 Stat. 501, related to distribution of information.

A prior section 331, act Sept. 16, 1942, ch. 561, title III, § 301, as added Apr. 1, 1944, ch. 150, 58 Stat. 140, related to establishment of United States War Ballot Commission and was repealed by act Apr. 19, 1946, ch. 142, 60 Stat. 96.

ADDITIONAL REPEAL

Sections 321 to 331 were also repealed by act Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641.

**§§ 332 to 340. Repealed. Apr. 19, 1946, ch. 142, 60 Stat. 96**

Section 332, act Sept. 16, 1942, ch. 561, title III, § 302, as added Apr. 1, 1944, ch. 150, 58 Stat. 140, related to persons subject to this subchapter.

Section 333, act Sept. 16, 1942, ch. 561, title III, § 303, as added Apr. 1, 1944, ch. 150, 58 Stat. 141, related to Federal war ballots.

Section 334, act Sept. 16, 1942, ch. 561, title III, § 304, as added Apr. 1, 1944, ch. 150, 58 Stat. 143, related to administration of oaths.

Section 335, act Sept. 16, 1942, ch. 561, title III, § 305, as added Apr. 1, 1944, ch. 150, 58 Stat. 143, related to administration of this subchapter.

Section 336, act Sept. 16, 1942, ch. 561, title III, § 306, as added Apr. 1, 1944, ch. 150, 58 Stat. 144, related to lists of candidates.

Section 337, act Sept. 16, 1942, ch. 561, title III, § 307, as added Apr. 1, 1944, ch. 150, 58 Stat. 144, related to distribution and collection of ballots.

Section 338, act Sept. 16, 1942, ch. 561, title III, § 308, as added Apr. 1, 1944, ch. 150, 58 Stat. 145, related to merchant marine ballots.

Section 339, act Sept. 16, 1942, ch. 561, title III, § 309, as added Apr. 1, 1944, ch. 150, 58 Stat. 145, related to transmission of ballots.

Section 340, act Sept. 16, 1942, ch. 561, title III, § 310, as added Apr. 1, 1944, ch. 150, 58 Stat. 145, related to reports on balloting.

**§ 341. Repealed. Aug. 9, 1955, ch. 656, title III, § 307, 69 Stat. 589**

Section, act Sept. 16, 1942, ch. 561, title III, § 301, as added Apr. 19, 1946, ch. 142, 60 Stat. 101, provided for prevention of fraud, coercion, and undue influence; free discussion, and acts done in good faith.

A prior section 341, act Sept. 16, 1942, ch. 561, title III, § 311, as added Apr. 1, 1944, ch. 150, 58 Stat. 146, related to validity of ballots and was repealed by act Apr. 19, 1946, ch. 142, 60 Stat. 96.

ADDITIONAL REPEAL

Section was also repealed by act Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641.

**§ 342. Repealed. May 24, 1949, ch. 139, § 142, 63 Stat. 109**

Section, act Sept. 16, 1942, ch. 561, title III, § 302, as added Apr. 19, 1946, ch. 142, 60 Stat. 102, related to prohibition against taking of polls. See section 596 of Title 18, Crimes and Criminal Procedure.

A prior section 342, act Sept. 16, 1942, ch. 561, title III, § 312, as added Apr. 1, 1944, ch. 150, 58 Stat. 146, which provided for safeguards and secrecy of ballots and prevention of fraud and coercion as to voting, was repealed by act Apr. 19, 1946, ch. 142, 60 Stat. 102.

**§§ 343 to 347. Repealed. Apr. 19, 1946, ch. 142, 60 Stat. 96**

Section 343, act Sept. 16, 1942, ch. 561, title III, § 313, as added Apr. 1, 1944, ch. 150, 58 Stat. 146, related to penalties under sections 341 to 347 of this title.

Section 344, act Sept. 16, 1942, ch. 561, title III, § 314, as added Apr. 1, 1944, ch. 150, 58 Stat. 146, related to prohibition on taking polls. See section 596 of Title 18, Crimes and Criminal Procedure.

Section 344 was also repealed by act June 25, 1948, ch. 645, § 21, 62 Stat. 862.

Section 345, act Sept. 16, 1942, ch. 561, title III, § 315, as added Apr. 1, 1944, ch. 150, 58 Stat. 147, related to certain State officials.

Section 346, act Sept. 16, 1942, ch. 561, title III, § 316, as added Apr. 1, 1944, ch. 150, 58 Stat. 147, related to agencies acting for the Secretary of State.

Section 347, act Sept. 16, 1942, ch. 561, title III, § 317, as added Apr. 1, 1944, ch. 150, 58 Stat. 147, related to construction of chapter.

**§§ 351 to 355. Repealed. Aug. 9, 1955, ch. 656, title III, § 307, 69 Stat. 589**

Section 351, act Sept. 16, 1942, ch. 561, title IV, § 401, as added Apr. 19, 1946, ch. 142, 60 Stat. 102, defined terms for purposes of this chapter.

A prior section 351, act Sept. 16, 1942, ch. 561, title IV, § 401, as added Apr. 1, 1944, ch. 150, 58 Stat. 147, authorized appropriations for purposes of this chapter and was repealed by act Apr. 19, 1946, ch. 142, 60 Stat. 96.

Section 352, act Sept. 16, 1942, ch. 561, title IV, § 402, as added Apr. 19, 1946, ch. 142, 60 Stat. 102; amended Sept. 29, 1950, ch. 1112, § 2, 64 Stat. 1083, related to free postage.

A prior section 352, act Sept. 16, 1942, ch. 561, title IV, § 402, as added Apr. 1, 1944, ch. 150, 58 Stat. 147, related to free postage and was repealed by act Apr. 19, 1946, ch. 142, 60 Stat. 96.

Section 353, act Sept. 16, 1942, ch. 561, title IV, § 403, as added Apr. 19, 1946, ch. 142, 60 Stat. 103, related to administration of this chapter.

A prior section 353, act Sept. 16, 1942, ch. 561, title IV, § 403, as added Apr. 1, 1944, ch. 150, 58 Stat. 148, defined terms for purposes of this chapter and was repealed by act Apr. 19, 1946, ch. 142, 60 Stat. 96.

Section 354, act Sept. 16, 1942, ch. 561, title IV, § 404, as added Apr. 19, 1946, ch. 142, 60 Stat. 103, related to separability of provisions.

A prior section 354, act Sept. 16, 1942, ch. 561, title IV, § 404, as added Apr. 1, 1944, ch. 150, 58 Stat. 148, related to separability of provisions and was repealed by act Apr. 19, 1946, ch. 142, 60 Stat. 96.

Section 355, act Sept. 16, 1942, ch. 561, title IV, § 405, as added Apr. 19, 1946, ch. 142, 60 Stat. 103, related to construction of this chapter.

#### ADDITIONAL REPEAL

Sections 351 to 355 were also repealed by act Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641.

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